



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JANUARY 26, 2004

ITEM NUMBER:

SUBJECT: PARCEL MAP PM-03-194
2850 MESA VERDE DRIVE EAST

DATE: JANUARY 15, 2004

FOR FURTHER INFORMATION CONTACT: WILLA BOUWENS-KILLEEN, SENIOR PLANNER
714.754.5153

DESCRIPTION

Applicant proposes to legalize the subdivision of this parcel.

APPLICANT

Michael Simon of Tait and Associates is representing the property owner, Donald Ellis.

RECOMMENDATION

Approve by adoption of Planning Commission resolution.

WILLA BOUWENS-KILLEEN
Senior Planner

PERRY L. VALANTINE
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 2850 Mesa Verde Dr East Application: Parcel Map PM-03-194

Request: Parcel map to legalize subdivision of a parcel.

SUBJECT PROPERTY:

Zone: C1
General Plan: General Commercial
Lot Dimensions: Irregular
Lot Area: Approx. 2 acres
Existing Development: Office buildings totaling 25,054 sq. ft.

SURROUNDING PROPERTY:

North: I&R, church
South: C1, parking lot
East: (Across Andros/Elm) R1, single-family homes
West: (Across Mesa Verde Dr. E.) C1, commercial dev.

DEVELOPMENT STANDARD COMPARISON

Development Standard Required/Allowed Proposed/Provided

Lot Size:		
Lot Width	120 ft.	322 ft.
Lot Area	12,000 sq. ft.	89,317 sq. ft.
Floor Area Ratio:		
(Moderate Traffic FAR)	.3 (26,795 sq. ft.)	(.28) 25,054 sq. ft.

CEQA Status: Exempt, General Rule
Final Action: Planning Commission

BACKGROUND

This parcel was subdivided from a larger parcel by grant deed in the mid-1960's. However, City approval of the subdivision – required since 1954 – was not obtained. This was discovered as part of the research for Parcel Map PM-03-160, which legalized the subdivision of the two parcels to the south of this site. The applicant now seeks City approval to rectify the situation.

ANALYSIS

The parcel contains office buildings. Site improvements, such as parking and interior landscaping, will be unaffected by the map. The southerly property line, which will be legalized by the map, is located approximately 50 feet away from the building, exceeding the 15-foot side setback required by Code by 35 feet. Recordation of the parcel map will merely legalize the lot line established in the 1960's.

ALTERNATIVES

If the request is denied, the illegal subdivision cannot be rectified.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act.

CONCLUSION

Approval of the parcel map will allow an illegal subdivision to be corrected. No changes are proposed to existing improvements on the parcel, and the right side setback measured from the southerly property line (which is the property line that will be legalized by this application) exceeds that required by Code.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Exhibit "B" - Draft Conditions of Approval
 Applicant's Project Description and Justification
 Location Map
 Plans

Distribution: Deputy City Mgr. - Dev. Svcs. Director
 Assistant City Attorney
 Assistant City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Donald Ellis
P.O. Box 538
Del Mar, CA 92014-0538

Michael Simon
Tait & Associates
701 N. Parkcenter Dr.
Santa Ana, CA 92705

RESOLUTION NO. PC-04-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF COSTA MESA APPROVING PARCEL MAP
PM-03-194**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Michael Simon/Tait & Associates, authorized agent for Donald Ellis, with respect to the real property located at 2850 Mesa Verde Drive East, requesting approval of a parcel map in the C1 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 26, 2004.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **APPROVES** Parcel Map PM-03-194 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Parcel Map PM-03-194 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 26th day of January, 2004.

Chair, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The creation of the subdivision and related improvements is consistent with the General Plan and Zoning Code.
- B. The proposed use of the subdivision is compatible with the General Plan.
- C. The subject property is physically suitable to accommodate Parcel Map PM-03-194 in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- D. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- E. The subdivision and development of the property will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.
- F. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).
- G. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- H. The project is exempt from Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

DESCRIPTION/JUSTIFICATION

Application #: PM-03-194

Environmental Determination: Exempt, General Rule

Address: 2850 MESA UNDER E

1. **Fully describe your request:** A Parcel Map to legalize this piece of land per City request

2. **Justification**

- A. **For a Conditional Use Permit or Minor Conditional Use Permit:** Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

- B. **For a Variance or Administrative Adjustment:** Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

3. **This project is: (check where appropriate)**

☐ In a flood zone.

☐ In the Redevelopment Area.

☐ Subject to future street widening.

☐ In a Specific Plan Area.

4. **I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:**

☒ Is not included in the publication indicated above.

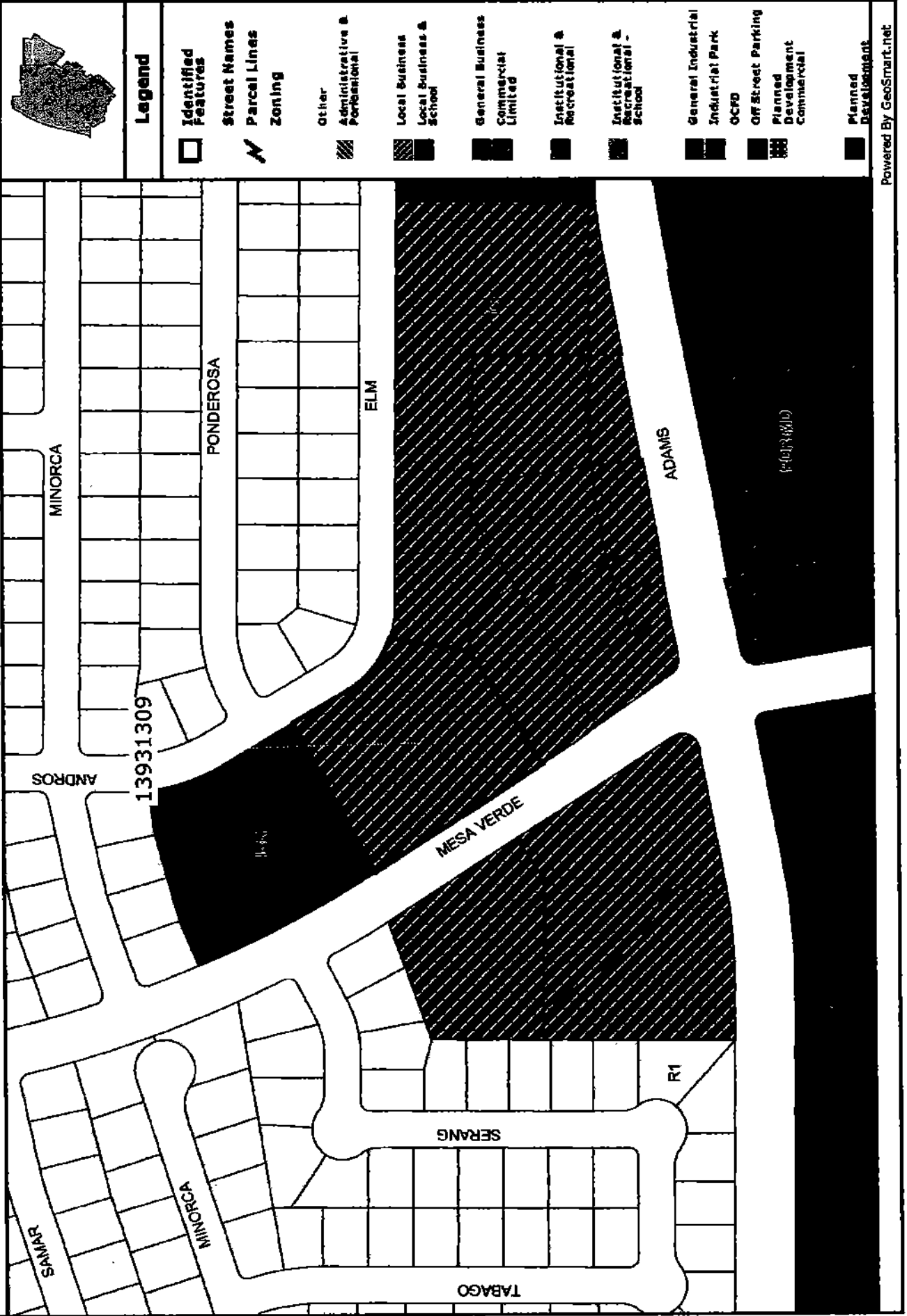
☐ Is included in the publication indicated above.

Michael Simon
Signature

9/29/03
Date

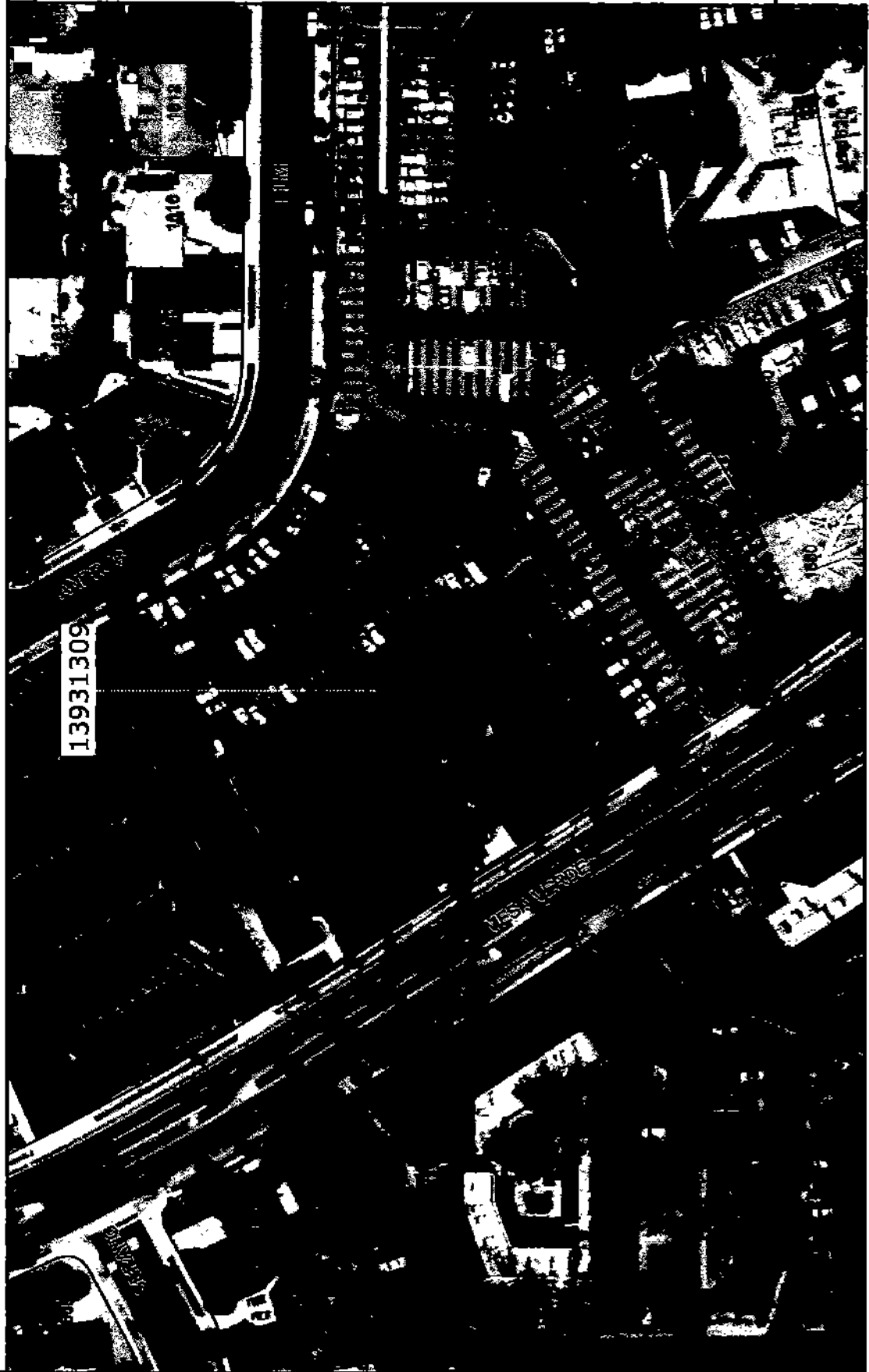
Zoning/Location Map

Parcel Map PM-03-194



Parcel Map PM-03-194

2850 Mesa Verde Drive East



Legend

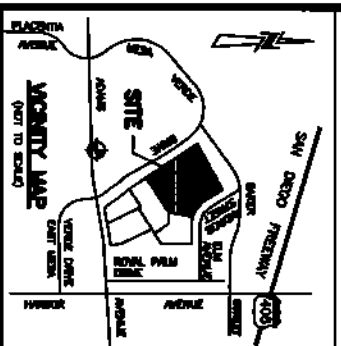
- ☐ Identified Features
- ☐ Street Names
- ☐ Parcel Lines
- ☐ Ortho Photography
- ☐ Parcels



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**CITY OF COSTA MESA
IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA**

DATE OF MAP PREPARATION: NOVEMBER 2003



**NOTE: ALL COUNTRIES RETURN FROM PORTING
DO NOT REPLY INFORMATION AND ADDRESS.**

DISPOSITIVE NOTICE

THAT PORTION OF PARAGRAPH (1) AFORE SAID, THAT GOES INTO EFFECT, SHALL BE DEEMED TO HAVE A RETROSPECTIVE EFFECT IN ITS LEGAL CONSEQUENCES, IT IS DECLARED THAT IT MAY RUN ALONG THE HISTORICAL LINE OF THIS PROPERTY;

1 AM BOMBST FOR LABORING BUILDING FIRE, RECORDED JANUARY 29, 1964 IN GLEN ROCK, PASE 801, OFFICE, RECORD.

[illegible]

FOUND 2" IRON PIPE, NO TAG, 9" DEEP, NO REFERENCE
ACCEPTED AS CENTRUM BEARING OF CLAYE PER
PARCEL MAP BOOK 58, PAGE 32, SET BRIDGE AND
WASHER STAYED P.L.S. 6034, FLUSH WITH SURFACE

